

REMARKS

For purpose of examination, Applicant desires to replace originally filed claims 1-27 with new claims 28-36 which were allowed in Applicants' parent application Serial No. 10/066,527, filed January 31, 2002. Applicants and their Assignee elected to refile the allowed application in order for the Examiner to consider two additional references which came to Applicants' attention after receiving the Notice of Allowance in their parent application. These references are U.S. Patent No. 5,979,534 and the "Proceedings of the 5th International Conference On Semi-Solid Processing of Alloys and Composites". Copies of these two additional references are included with Applicants' Information Disclosure Statement enclosed with this Preliminary Amendment.

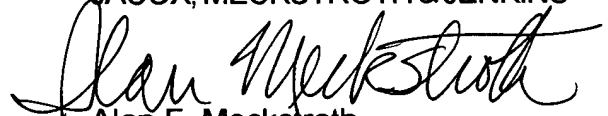
While the two new references disclose the addition of a grain refiner within a slurry within a shot sleeve of a vertical die cast press and injecting the slurry without stirring the slurry in the shot sleeve, there is no suggestion or teaching of Applicants' method steps including the important step of "cooling the molten metal within the shot chamber to within a predetermined temperature range while the molten metal within the shot chamber has a horizontal width substantially greater than its vertical depth and without stirring the molten metal to form a substantially quiescent and shallow semi-solid slurry having a globular and generally non-dendritic microstructure", as set forth in Applicants' claims 28-36 and recognized by the Examiner in his prior "statement of reasons for allowance".

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In view of the above, Applicants believe that claims 28-36 are still in condition for allowance, and respectfully request that this continuation application be passed to issue.

Respectfully submitted,

JACOX, MECKSTROTH & JENKINS

A handwritten signature in black ink, appearing to read "Alan Meckstroth", written over the printed name.

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